

**FAMILY LAW SECTION**

Respectfully submits the following position on:

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**HB 4068 & HB 4069**

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The Family Law Section is not the State Bar of Michigan itself, but rather a Section which members of the State Bar choose voluntarily to join, based on common professional interest.

The position expressed is that of the Family Law Section only and is not the position of the State Bar of Michigan.

To date, the State Bar does not have a position on this matter.

The total membership of the Family Law Section is 2,481.

The position was adopted after discussion and vote at a scheduled meeting. The number of members in the decision-making body is 21. The number who voted in favor to this position was 20. The number who voted opposed to this position was 0.

## **Report on Public Policy Position**

**Name of section:**

Family Law Section

**Contact person:**

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**Bill Number:**

HB 4068 (Lori) Family law; paternity; expedited provision of copy of acknowledgment of parentage to attorney or court clerk; provide for. Amends sec. 5 of 1996 PA 305 (MCL 722.1005).

HB 4069 (Lori) Records; birth; provision of certain birth records by the state registrar; revise. Amends sec. 2882 of 1978 PA 368 (MCL 333.2882).

**Date position was adopted:**

January 29, 2011

**Process used to take the ideological position:**

Position adopted after discussion and vote at a scheduled meeting.

**Number of members in the decision-making body:**

21

**Number who voted in favor and opposed to the position:**

20 Voted for position

0 Voted against position

0 Abstained from vote

1 Did not vote

**Position:**

Oppose

**Explanation of the position, including any recommended amendments:**

HB 4068 & HB 4069 are reintroductions of bills that the Family Law Section opposed last term. The bills require the state registrar to immediately (within one day) provide an attorney or court clerk with a copy of an acknowledgment of parentage, or a statement that there is no acknowledgment in the state registry. The registrar is forbidden from charging any fee, and the request may be made by mail, telephone, or fax.

The Family Law Section believes that this legislation dictates priorities for the registrar's office that may be unwise, and that there is no basis to exempt attorneys from fees that apply to the general public. It would also be difficult

for the registrar to determine whether a letter, fax or telephone request was in fact from an attorney, particularly when the registrar's response must be made within one day. The Family Law Section opposes these bills.

**The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.**

<http://legislature.mi.gov/doc.aspx?2011-HB-4068>

<http://legislature.mi.gov/doc.aspx?2011-HB-4069>